

EDMUND G. BROWN JR.
Attorney General of California
THOMAS S. PATTERSON
Supervising Deputy Attorney General
DAMON G. McCLAIN
Deputy Attorney General
State Bar No. 209508
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5750
Fax: (415) 703-5843
E-mail: Damon.Mcclain@doj.ca.gov
Attorneys for Defendants State of California, et al.

PRISON LAW OFFICE
DONALD SPECTER – 83925
ALISON HARDY – 135966
MEGAN HAGLER – 230628
1917 Fifth Street
Berkeley, California 94710-1916
Telephone: (510) 280-2621
Facsimile: (510) 280-2704
dspecter@prisonlaw.com
Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROBERT O. GILMORE, JR., et al.,

Plaintiffs,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

CV 66-45878 SI

**STIPULATION TO CONTINUE THE
HEARING ON DEFENDANTS'
TERMINATION MOTION**

The hearing on Defendants' motion to terminate the injunction in this case is scheduled for March 5, 2010. Subject to the Court's approval, the parties stipulate to continue the hearing to April 16, 2010, to allow the parties to complete the production of supplemental discovery before the hearing.

On February 1, 2010, the Court ordered Defendants to respond to several of Plaintiffs' interrogatories and requests for production by February 17, 2010. On February 17, 2010, Defendants responded to Plaintiffs' interrogatories and produced over 11,500 pages of responsive documents. Plaintiff's have requested that Defendants reproduce certain documents because the quality of the copies produced on February 17 are poor and because some documents appear to be incomplete. Plaintiffs have also requested that Defendants confirm that responses to the

interrogatories are complete and accurate. Moreover, since February 17, 2010, Defendants have identified a substantial number of additional documents that may be responsive to Plaintiffs' discovery requests, and the parties have agreed that Defendants will produce any such responsive documents in a supplemental production by March 19, 2010, and will produce a privilege log for those documents by March 26, 2010.

On March 2, 2010, Plaintiffs requested that Defendants stipulate to continue the hearing date so that Plaintiffs would have time to (1) review any reproduced documents and any supplemental responses to the interrogatories, and (2) review the supplemental production of documents and privilege log before the hearing on the termination motion. On March 3, 2010, Defendants agreed to stipulate to the continuance.

THEREFORE THE PARTIES AGREE AND STIPULATE that Defendants' termination motion will be heard on April 16, 2010 at 9:00 a.m.

Dated: March 3, 2010

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California

/s/ Damon McClain
DAMON MCCLAIN
Deputy Attorney General
Attorneys for Defendants State of California,
et al.


Dated: March 3, 2010

PRISON LAW OFFICE

/s/ Alison Hardy
ALISON HARDY
Attorneys for Plaintiffs

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: _____



The Honorable Susan Illston
United States District Judge